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State of California by and through California
Highway Patrol and Officer Ramon Silva

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

SANDRA KIRKMAN AND
CARLOS ALANIZ,
INDIVIDUALLY AND AS
SUCCESSORS-IN-INTEREST TO
JOHN ALANIZ, DECEASED,

Plaintiff,

v.

STATE OF CALIFORNIA;
RAMON SILVA; AND DOES 1-10,
INCLUSIVE,

Defendant.

Case No.: 2:23-cv-07532-DMG-SSC

**DEFENDANTS STATE OF
CALIFORNIA BY AND THROUGH
CALIFORNIA HIGHWAY PATROL
AND OFFICER RAMON SILVA'S
NOTICE OF MOTION AND
MOTION IN LIMINE TO EXCLUDE
OPINIONS OF PLAINTIFFS'
EXPERT MEDICAL EXAMINER
BENNETT OMALU**

[No. 4 of 4]

Courtroom: 8C

Judge: Hon. Dolly M. Gee

FPTC: March 25, 2025, 2:00 p.m.

Trial Date: April 15, 2025, 8:30 a.m.

**TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF
RECORD:**

PLEASE TAKE NOTICE that defendants State of California by and through California Highway Patrol and Officer Ramon Silva will move this Court in limine for an order excluding opinions of plaintiffs' expert medical examiner Bennett Omalu. This motion is based upon Federal Rules of Civil Procedure 26 and 37, Federal Rule of Evidence 702, *Daubert v. Merrell Dow Pharms., Inc.*, 509

1 U.S. 579 (1993), this notice, the memorandum of points and authorities, the
2 declaration of Lee H. Roistacher, the notice of lodgment of exhibits, the pleadings,
3 papers, and records on file herein, and such other evidence and/or argument as the
4 Court may accept at or prior to the hearing on this motion.

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6 Dated: March 14, 2025

Dean Gazzo Roistacher LLP

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8 By: /s/ Lee H. Roistacher

9 Lee H. Roistacher
10 Attorneys for Defendants
11 State of California by and through
12 California Highway Patrol and
13 Officer Ramon Silva
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